

\*\*E-filed 2/8/07\*\*

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10 Attorneys for Plaintiff

11 IN THE UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN JOSE DIVISION

14 PHASE FORWARD INCORPORATED, )  
 15 Plaintiff, )  
 16 v. )  
 17 MARY NOEL ADAMS, )  
 18 Defendant. )

19 CASE NO. C 05-4232 JF

20 **STIPULATION AND  
 [PROPOSED] ORDER TO  
 CONTINUE DEFENDANT  
 MARY NOEL ADAMS'  
 MOTION FOR SUMMARY  
 JUDGMENT**

21 Date: February 9, 2007  
 Time: 9:00 a.m.  
 Dept: Courtroom 3, 5<sup>th</sup> Floor

22 Plaintiff Phase Forward Incorporated and defendant Mary Noel Adams (hereinafter,  
 23 the "Parties"), by and through their respective counsel, hereby stipulate and jointly request  
 24 that the Court continue the hearing on Defendant's Motion for Summary Judgment,  
 25 presently scheduled for February 9, 2007, 9:00 a.m. to **April 6, 2007** at 9:00 a.m. This  
 26 Court has already reserved April 6<sup>th</sup> for hearing on this matter at the Parties' request.

27 The Parties jointly request that this Court approve the stipulation on the grounds  
 28 that counsel to both Parties are unavailable on February 9<sup>th</sup>, which unavailability was not



1 known when this matter was initially set for hearing.  
2

3 DATED: 2/06/07

PHILLIPS, ERLEWINE & GIVEN LLP

4 By:

5 Spencer C. Martinez  
6 Attorney for Plaintiff

7 DATED: \_\_\_\_\_

8 Laura A. Thompson, Esq.  
9 Attorney for Defendant

10  
11 ORDER

12 Good cause appearing, IT IS SO ORDERED.

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14  
15 DATED: \_\_\_\_\_, 2007

16 HON. JEREMY FOGEL  
17 UNITED STATES DISTRICT JUDGE

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